

<b>UNITED STATES OF AMERICA</b>	:	<b>UNITED STATES DISTRICT COURT</b>
	:	<b>DISTRICT OF NEW JERSEY</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	<b>Crim. No. 10-148 (SRC)</b>
	:	
<b>CARLO ST. JEAN</b>	:	<b>Hon. Stanley R. Chesler</b>
	:	<b>United States District Judge</b>
	:	
	:	
<b>Defendant</b>	:	<b><u>Consent Order for In <i>Limine</i> Motion</u></b>
	:	

**THIS MATTER** having been brought before the Court on application of Paul J. Fishman, United States Attorney for the District of New Jersey (Aaron Mendelsohn and Mark E. Coyne, Assistant United States Attorneys, appearing) and Carlo St. Jean (E. Alexander Jardines, Esq., appearing), for a consent order granting relief for an *in limine* motion filed by the United States;

IT IS on this 6<sup>th</sup> day of Oct, 2010,

**ORDERED** that the Government may use in its case in chief the 2006 tax return prepared by Defendant for the undercover agent and the video and audiotape evidence of the meeting between Defendant and the undercover agent; and

**ORDERED** that, provided an appropriate foundation is made and for the limited purposes specified below, (a) the Government may use in its case in chief forms that Defendant sent to his clients concerning Schedule A deductions claimed on tax returns he prepared for them, for the purpose of proving and to the extent that the forms demonstrate recent fabrication and consciousness of guilt, and (b) Defendant may use such forms for purposes of rebutting and such claim; and


**ORDERED** that the Government may use in its case in chief any 2003 tax return that Defendant prepared for any taxpayer identified by initial in the Indictment or any Superseding Indictment; and

**ORDERED** that the Government may not use the 1,000 or so tax returns that Defendant prepared for his clients for the 2004, 2005 and 2006 tax years other than those identified in the Indictment or any Superseding Indictment, unless Defendant opens the door to such evidence by, for example, arguing or suggesting that he was selectively prosecuted or that he was inexperienced in preparing tax returns.




Hon. Stanley R. Chelser, U.S.D.J.

Consented to:



AUSA Aaron Mendelson  
AUSA Mark E. Coyne  
Counsel for the United States



E. Alexander Jardines, Esq.  
Counsel for Defendant